REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 16-20 and 22-42 are presently pending in this case. Claims 24-29 are withdrawn. Claims 33 and 42 are amended by the present amendment. As amended Claims 33 and 42 are supported by the original claims, no new matter is added.

In the outstanding Official Action, Claims 33, 40, and 42 were rejected under 35 U.S.C. §112, second paragraph; Claims 16-20, 22, 23, and 30-33 were rejected under 35 U.S.C. §103(a) as unpatentable over Morton (U.S. Patent No. 2,414,162) in view of Hurko et al. (U.S. Patent No. 3,674,983, hereinafter "Hurko"); and Claims 34-42 were rejected under 35 U.S.C. §103(a) as unpatentable over Morton in view of Hurko and further in view of Gressenich et al. (German Patent Document No. 19633706, hereinafter "Gressenich").

With regard to the rejection of Claims 33, 40, and 42 under 35 U.S.C. §112, second paragraph, Claims 33 and 42 are amended to consistently recite "at least one raised portion" and a "first surface." Thus, Claims 33 and 42 provide antecedent basis for all terms. With regard to Claim 40, it is respectfully submitted that the phrase "the first surface below the least one raised portion" is not indefinite. The raised portion is above the first surface, making it a "raised portion." This does not require that the first surface to be the bottom surface, or make ambiguous whether or not the first surface is a top or bottom surface. Accordingly, Claims 33, 40, and 42 are in compliance with all requirements under 35 U.S.C. §112, second paragraph.

With regard to the rejection of Claims 16, 30, and 33 as unpatentable over Morton in view of Hurko, that rejection is respectfully traversed.

Claims 16 and 30 recite in part "a ratio of width of the at least one bevel to a height of the at least one bevel is less than 23.3." Claims 23 and 33 recite in part "a ratio of width of

the raised portion to a height of the raised portion being less than 23.3." Again, the outstanding Office Action conceded that Morton (and presumably Hurko) does not describe this feature, but concluded that "it would have been an obvious matter of design choice ... since such a modification would involve a mere change in the size of a component."[1] However, well settled case law holds that a particular parameter must first be recognized as a result-effective variable, i.e., a variable which achieves a recognized result, before the determination of the optimum or workable ranges of said variable might be characterized as routine experimentation. *In re Antonie*, 559 F.2d 618, 195 USPQ 6 (CCPA 1977). See MPEP §2144.05. In the present case, it is respectfully submitted that neither Morton nor Hurko identify that a ratio of width of a bevel to a height of a bevel is a result effective variable. In fact, neither describes measuring such a ratio, much less that such a ratio achieves a recognized result. Accordingly, the subject matter of amended Claims 16, 30, and 33 ***cannot*** be considered obvious in view of Morton and Hurko.

Further, the enclosed declaration by the inventors describes the problems in the conventional art and how the claimed invention provides unexpected results with respect to the conventional art. In particular, the inventors described us the conventional art could not include bevels greater than 35 mm wide without weakening the mechanical strength of the plate. In practice, bevels of the order of 12 mm wide were used. In contrast, when a ratio of width of the at least one bevel to a height of the at least one bevel is less than 23.3, bevels 35 mm wide or more can be used without the plates suffering the detrimental effects seen in the conventional art.

Consequently, Claims 16, 30, and 33 (and all claims dependent therefrom) is patentable over Morton in view of Hurko.

[1]See the outstanding Office Action at page 4.

Claim 23 recites in part "a ratio of width of the raised portion to a height of the raised portion being less than 23.3." In a similar manner as noted above, Morton and Hurko do not identify a ratio of width of a raised portion to a height of a raised portion as a result effective variable. Accordingly, the subject matter of Claim 23 also cannot be considered obvious in view of Morton and Hurko. Consequently, Claim 23 is also patentable over Morton in view of Hurko.

With regard to the rejection of Claims 34 and 40-42 as unpatentable over Morton in view of Hurko and further in view of Gressenich, that rejection is respectfully traversed.

Claims 34 and 41 recite in part "at least one bevel 35 mm or more wide."

As noted above, the enclosed declaration by the inventors describes the problems in the conventional art and how the claimed invention provides unexpected results with respect to the conventional art. In particular, the inventors described us the conventional art could not include bevels greater than 35 mm wide without weakening the mechanical strength of the plate. In practice, bevels of the order of 12 mm wide were used. Accordingly, bevels 35 mm wide or more could not be used in the conventional art, and thus cannot be rendered obvious by the cited references.

Claims 40 and 42 recite in part "the second surface includes pegs where facing the at least one raised portion." The outstanding Office Action cited the portion of Morton which includes operating shafts 27 for switches 22 as "at least one raised portion" and knobs 3 of Gressenich as describing "pegs." However, the abstract of Gressenich clearly describes that knobs 3 should ***not*** be below capacitive sensor switches, and includes a knob-less zone 2 in this area. Accordingly, Gressenich clearly teaches contrary to the proposed combination. It is respectfully submitted that one of ordinary skill in the art would combine Morton and Gressenich such that knobs 3 would ***not*** be placed below the portion asserted as "at least one

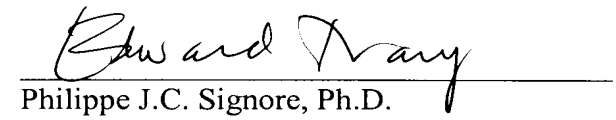
raised portion." Accordingly, there can be no suggestion or motivation to combine Morton and Gressenich as proposed.

Accordingly, Claims 34, 40, 41, and 42 (and Claims 35-39 dependent therefrom) are patentable over Morton in view of Hurko and further in view of Gressenich.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Philippe J.C. Signore, Ph.D.
Attorney of Record
Registration No. 43,922

Edward W. Tracy, Jr.
Registration No. 47,998

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)